IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.1308 OF 2001
IN
SUMMARY SUIT NO.2753 OF 2000

Fidalty Wires P.Ltd. ..Plaintiffs

Vs.

Devidayal Industries Ltd. ..Defendants

Mr.Avinash Joshi for the plaintiffs

Mr.A.M.Singh i/b N.Dinkar Rao for the defendants

CORAM : S.U.KAMDAR, J
DATED : 21ST SEPTEMBER, 2005

P.C.:

1. The present suit is filed for the claim of Rs.1,78,000/-. There was cheque issued of Rs.1,19,284/- which has been dishonoured. The aforesaid claim is filed with interest in the present suit. Defendant company has been served. Affidavit in reply has been filed dt.15.3.03. Website status shows that the company is under BIFR and winding up is recommended. Thus, protection u.s.22 is no more applicable and the matter can be proceeded with. The only defence is that the matter should be heard alongwith Company Petition has no merits. In that view of the matter, Summons

for Judgment is made absolute. Suit is decreed as prayed. Suit as well as summons for judgment disposed of accordingly. Refund of court fee as per rules.